



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,450	12/31/2003	Sheng Dai	25016/141	9813

7590 07/17/2006
John B. Hardaway, III
NEXSEN PRUET JACOBS & POLLARD, LLC
P.O. Box 10107
Greenville, SC 29603

EXAMINER

O SULLIVAN, PETER G

ART UNIT PAPER NUMBER

1621

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1621

Claims 1-20 are pending in this application.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-20 are again rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement for the reasons of record. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicants' arguments and amendments have been given due consideration, but are found non-persuasive. Undue experimentation would be required to determine which of applicants' compounds would be liquid. Applicants' specification does not disclose how to make and or use, for example a polyaminoacid, perchlorate and strontium compound.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8, 9, 11, 13 and 14-20 are again rejected under 35 U.S.C. 102(b) as being anticipated by Armand, US 5,256,821, or Sakaguchi et al., US 5,723,664, (not 13) for the reasons of record. Applicants' arguments and amendments have been given due consideration, but are found non-persuasive. Applicants' claims do not claim a pure liquid without solvent.

No claim is allowed in the absence of a clear delineation of the claims from the prior art.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Peter G. O'Sullivan at telephone number (571)272-0642.


**PETER G'SULLIVAN
PRIMARY EXAMINER
GROUP 1200**